



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



Applicant: Yoshimitsu SHIMOJO et al.  
Title: PACKET SWITCH AND PACKET SWITCHING METHOD USING  
PRIORITY CONTROL BASED ON CONGESTION STATUS WITHIN  
PACKET SWITCH  
Prior Appl. No.: 09/461,362  
Prior Appl. Filing Date: 12/15/1999  
Examiner: Unassigned  
Art Unit: Unassigned

**CONTINUING PATENT APPLICATION**  
**TRANSMITTAL LETTER**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a:

☒ Continuation    ☐ Division    ☐ Continuation-In-Part (CIP)

of the above-identified copending prior application in which no patenting, abandonment, or termination of proceedings has occurred. Priority to the above-identified prior application is hereby claimed under 35 U.S.C. § 120 for this continuing application. The entire disclosure of the above-identified prior application is considered as being part of the disclosure of the accompanying continuing application and is hereby incorporated by reference therein.

☐ Applicant claims small entity status under 37 CFR 1.27.

Enclosed are:

- ☒ Specification, Claim(s), and Abstract (52 pages).
- ☒ Formal drawings (7 sheets, Figures 1-9).
- ☒ Declaration and Power of Attorney (2 pages).
- ☒ Information Disclosure Statement.
- ☒ Form PTO/SB/08.

☒ Preliminary Amendment.

☒ Application Data Sheet (37 CFR 1.76).

The filing fee is calculated below:

|   | Claims<br>as Filed | Included in<br>Basic Fee | Extra<br>Claims | Rate              | Fee<br>Totals |
|---|--------------------|--------------------------|-----------------|-------------------|---------------|
| Basic Fee   |                    |                          |                 | \$750.00          | \$750.00      |
| Total   | 18                 | - 20                     | = 0             | x \$18.00         | = \$0.00      |
| Claims:<br>Independent  | 4                  | - 3                      | = 1             | x \$84.00         | = \$84.00     |
| ts:   |                    |                          |                 |                   |               |
| If any Multiple Dependent Claim(s) present:                             |                    |                          |                 | + \$280.00        | = \$0.00      |
|   |                    |                          |                 | SUBTOTAL:         | = \$834.00    |
| <input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above): |                    |                          |                 |                   | = \$0.00      |
|   |                    |                          |                 | TOTAL FILING FEE: | = \$834.00    |

☒ A check in the amount of \$834.00 to cover the filing fee is enclosed.

☐ The required filing fees are not enclosed but will be submitted in response to the Notice to File Missing Parts of Application.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date SEP 23 2003

By 

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